



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/156,311	09/17/1998	MASAHIKO SAKAYORI	B588-010	9920

26272            7590            11/06/2002

ROBIN BLECKER & DALEY  
2ND FLOOR  
330 MADISON AVENUE  
NEW YORK, NY 10017

EXAMINER

BACKER, FIRMIN

ART UNIT

PAPER NUMBER

3621

DATE MAILED: 11/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

SK

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/156,311	SAKAYORI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Firmin Backer	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 30 October 2002.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 60-96 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 60-96 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
 

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

***Continued Prosecution Application***

1. The request filed on October 30, 2002 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/156,311 is acceptable and a CPA has been established. An action on the CPA follows.

***Response to Arguments***

2. Applicant's arguments with respect to claims 60-96 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 60-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson et al. (U.S. 6,324,522) in view of Wiecha (U.S. Patent No. 5,870,7176).

5. As per claims 60, 66, 67, 69, 70, 79, 80, 81, 82, 89, 96, Peterson et al teach a part management information system (*electronic information network for invention control*) for

managing order placed and order received (*new orders, orders processed, orders in process*) by shops displaced as independent work unit (*see abstract, fig. 14, 18, column 4 lines 27-5 lines 17*), comprising communication means for communicating data indicating statuses of orders received and placed (*new orders, orders in process*), orders received (*new orders*) and orders placed (*orders placed*) (*see fig 14, column 34 lines 59-35 lines 40*) determining whether data input by the communication mean is orders received and placed (*new orders, orders in process*), orders received (*new orders*) and orders placed (*orders placed*) an control display of a combination of an icon corresponding of an icon corresponding to a management item and data indicating a status of the management item represented by the icon (*see column fig 15, column 23 line 5-60*). Peterson et al fail to teach an inventive concept of display control means for controlling display on display means, which determining the status of the order of a combination of an icon corresponding to a management item and data indicating a status of the management item represented by the icon. However, Wiecha teaches an inventive concept of display control means for controlling display on display means, which determining the status of the order of a combination of an icon corresponding to a management item and data indicating a status of the management item represented by the icon (*see abstract, fig 6, 7, and 12, column 2 lines 38-49, 10 lines 38-44*). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Peterson et al's inventive concept to include Wiecha's inventive concept of display control means for controlling display on display means, which determining the status of the order of a combination of an icon corresponding to a management item and data indicating a status of the management item represented by the icon because this

would have enhanced the system by providing a greater dynamic inventory and distribution method and system.

6. As per claim 61, 68, Peterson et al teach a system wherein the display control means controls display of a combination of an item indicative of an order placed or an order received and an icon corresponding to a management item and wherein the control means determines that the input data is an order received and no icon corresponding to a management item on a order – received or placed side (*see column fig 15, column 23 line 5-60*).
7. As per claim 62, Peterson et al teach a system wherein the data indicating a status of the management item is a number of processed orders or orders placed corresponding to a management item (*see fig 14, column 34 lines 59-35 lines 40*).
8. As per claim 63, 64, Peterson et al teach a system wherein the management items is displayed as and capable of being added, changed or deleted (*see column fig 15, column 23 line 5-60*).
9. As per claim 65, Peterson et al teach a system wherein the data indicating a status of the management item is updated upon downloading (*see column fig 15, column 23 line 5-60*).

10. As per claim 71, Peterson et al teach a system wherein the data corresponding to the plurality of management items are numbers or orders and second display control means control display of the number or order (*see fig 14, column 34 lines 59-35 lines 40*)

11. As per claim 72-75, Peterson et al teach a system further comprising input means inputting and initial data for setting up a graph and the number of days setting a period in the graph (*see fig 14, column 34 lines 59-35 lines 40*).

12. As per claims 76, Peterson et al teach a part management information system (*electronic information network for invention control*) (*see abstract, fig. 14, 18, column 4 lines 27-5 lines 17*), first display control means for controlling display on display means, which determining the status of the order (*statuses of statuses*), selection means for allowing selection of management items out or the displayed plurality of management items for the order received or placed (*see column fig 15, column 23 line 5-60*). Peterson et al fail to teach an inventive concept of display control means for controlling display on display means of data indicating the number of corresponding to the plurality of management items selected by the selection means daily data in a form of three-dimensional graph in relation to the selected plurality of management item together with the management of item controlled to be displayed by the first display control means. However, Weicha teaches an inventive concept of display control means for controlling display on display means of data indicating the number of corresponding to the plurality of management items selected by the selection means daily data in a form of three-dimensional graph in relation to the selected plurality of management item together with the management of

item controlled to be displayed by the first display control means (*see abstract, fig 6, 7, and 12, column 2 lines 38-49, 10 lines 38-44*). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Peterson et al's inventive concept to include Wiecha's inventive concept of display control means for controlling display on display means of data indicating the number of corresponding to the plurality of management items selected by the selection means daily data in a form of three-dimensional graph in relation to the selected plurality of management item together with the management of item controlled to be displayed by the first display control means because this would have enhanced the system by providing a greater dynamic inventory and distribution method and system.

13. As per claims 77, 78, 83, 90, Peterson et al teach a part management information system (*electronic information network for invention control*) for managing order placed and order received (*new orders, orders processed, orders in process*) (*see abstract, fig. 14, 18, column 4 lines 27-5 lines 17*), comprising communication means for communicating data indicating statuses of orders received and placed (*new orders, orders in process*), orders received (*new orders*) and orders placed (*orders placed*) (*see fig 14, column 34 lines 59-35 lines 40*) first display control means for controlling display on display means, which determining the status of the order (*statuses of statuses*), selection means for allowing selection of management items out or the displayed plurality of management items for the order received or placed (*see column fig 15, column 23 line 5-60*) Peterson et al fail to teach an inventive concept of display control means for controlling display on display means of data indicating the number of corresponding to the plurality of management items selected by the selection means daily data in a form of

three-dimensional graph in relation to the selected plurality of management item together with the management of item controlled to be displayed by the first display control means. However, Wiecha teaches an inventive concept of display control means for controlling display on display means of data indicating the number of corresponding to the plurality of management items selected by the selection means daily data in a form of three-dimensional graph in relation to the selected plurality of management item together with the management of item controlled to be displayed by the first display control means (*see abstract, fig 6, 7, and 12, column 2 lines 38-49, 10 lines 38-44*). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Peterson et al's inventive concept to include Wiecha's inventive concept of display control means for controlling display on display means of data indicating the number of corresponding to the plurality of management items selected by the selection means daily data in a form of three-dimensional graph in relation to the selected plurality of management item together with the management of item controlled to be displayed by the first display control means because this would have enhanced the system by providing a greater dynamic inventory and distribution method and system.

14. As per claim 84, 85, 91, 92, Peterson et al teach a system wherein the display control mean controls display of a combination of an item indicative of an order placed or an order received and an icon (*see column fig 15, column 23 line 5-60*).

15. As per claim 86-88, 93-95, Peterson et al teach a system wherein the display control means comprises a function for displaying a selected management item out of the management

of the management items together with a management..., in the form of table, and for changing the position on the display mean (*see fig 14, column 34 lines 59-35 lines 40*).

16. As per claim 63, 64, Peterson et al teach a system wherein the management items is displayed as and capable of being added, changed or deleted (*see column fig 15, column 23 line 5-60*).

17. As per claim 65, Peterson et al teach a system wherein the data indicating a status of the management item is updated upon downloading (*see column fig 15, column 23 line 5-60*).

18. As per claim 71, Peterson et al teach a system wherein the data corresponding to the plurality of management items are numbers or orders and second display control means control display of the number or order (*see fig 14, column 34 lines 59-35 lines 40*).

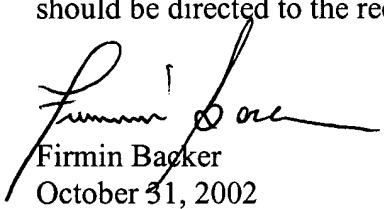
19. As per claim 72-75, Peterson et al teach a system further comprising input means inputting and initial data for setting up a graph and the number of days setting a period in the graph (*see fig 14, column 34 lines 59-35 lines 40*).

### ***Conclusion***

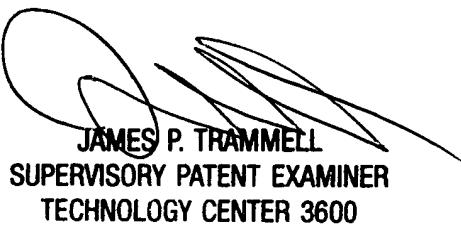
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is (703) 305-0624. The examiner can normally be reached on Mon-Thu 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammel can be reached on (703) 305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.



Firmin Backer  
October 31, 2002



JAMES P. TRAMMELL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600